

**REMARKS**

Claims 1-20 are pending in this application. Claims 1 and 12-15 are independent claims. No claims are amended and no claims are cancelled. Reconsideration and allowance of the present application are respectfully requested.

**Rejections Under 35 U.S.C. § 103 – *Nonomura in view of Lamkin, Tagawa***

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,734,788 (“Nonomura”) in view of U.S. Publication No. 2004/0220791 (“Lamkin”), and in further view of U.S. Patent No. 6,615,192 (“Tagawa”). This rejection is respectfully traversed.

Applicants’ understanding is that the Examiner is relying on Tagawa as teaching a title management information file located in a given directory area different from a playlist directory area. The Examiner points to Figs. 6 and 10, and the description beginning at column 9, line 34, in support thereof. Applicants disagree with this interpretation of Tagawa.

Fig. 6 of Tagawa illustrates a DVD audio recording format. As described in the portion of Tagawa pointed to by the Examiner, the physical layer of the DVD audio disc is divided into three areas: a lead-in area 1001, a volume area 1002, and a lead-out area 1003 (see column 9, lines 35-37). The lead-in area and lead-out area are not usually accessed by the user and store things such as the title key. As further described in the text and illustrated in the figure, the volume area 1002 is divided into a title management information area 1004 and a title area 1005. The title area 1005 includes the contents for each song 1009. The title management information area 1004 includes all other information, such as a title name 1006, a number of songs 1007, an attribute information 1008 for each song, etc.

However, a review of the entirety of Tagawa reveals that Tagawa is silent regarding playlists and playlist directory areas. No specific teaching of playlists or playlist directory areas are pointed to by the Examiner. Furthermore, assuming *arguendo* that playlist information can be included in the DVD audio recording format taught by Tagawa, the playlist information would most likely be stored in the volume area 1002, as the lead-in area 1001 and lead-out area 1003 discussed above do not typically contain information accessed by a user. As such, the playlist information would be stored in either the title management area 1004 or the title area 1005. Because the title area 1005 is reserved strictly for song content, as discussed above, the playlist information would likely be stored in the title management information area 1004.

Thus, even if playlist information was included in the DVD audio recording format of Tagawa as alleged by the Examiner, which Applicants believe to be an incorrect interpretation of Tagawa, the playlist information would most likely be stored in the title management information area 1004. With regard to Fig. 10 also pointed to by the Examiner, Fig. 10 shows the directory construction of the hard disc 5 of Fig. 3 (see column 11, lines 60-62). The hard disc 5 is not believed relevant to the DVD optical discs discussed elsewhere in Tagawa and also relied upon by the Examiner in Nonomura and Lamkin.

Applicants submit therefore that Tagawa fails to teach or suggest an optical disc including at least one title management information file and a playlist directory area, where “the title management information file is located in a given directory area different from the playlist directory area” as recited in independent claim 1. Independent claims 12-15 recite features similar to the noted distinction of claim 1 and thus at least similarly distinguish over Tagawa. Therefore, independent claims 1 and 12-15 are allowable over Nonomura in view of Lamkin and in further view of Tagawa. The remaining dependent claims are likewise allowable over

Nonomura in view of Lamkin and in further view of Tagawa for at least their dependence from an allowable base claim.

Thus, Applicants respectfully request that this rejection of claims 1-20 under 35 U.S.C. §103 be withdrawn.

#### **Request for Examiner Interview**

Applicants believe the nature of this case is such that an interview could serve to develop and clarify specific issues and lead to a mutual understanding with the Examiner. If not contacted already by Applicants' representative, Applicants invite the Examiner to contact the undersigned for an interview to expedite prosecution.

#### **CONCLUSION**


In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Pursuant to 37 C.F.R. §1.17 and 1.136(a), Applicant(s) hereby petition(s) for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$120.00 extension fee herewith.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terry L. Clark at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,  
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